

REMARKS

Reexamination and reconsideration of the application as amended are requested. Support for amended claims 1-3 and 11-13 is found from figure 1, wherein it is clear that the longitudinal axis 40 of the partition plate assembly 12 shown in figure 1 is a central longitudinal axis, that the first side 20 of the partition plate assembly 12 has a top surface (shown at the end of the lead line for 20), that the second side 22 of the partition plate assembly 12 has a bottom surface (shown at the end of the lead line for 22), that the first terminus 28 of the non-magnetorheological-fluid first orifice 24 and the first end 32 of the magnetorheological-fluid second orifice 26 are directly disposed at the top surface, and that the second terminus 30 of the non-magnetorheological-fluid first orifice 24 and the second end 34 of the magnetorheological-fluid second orifice 26 are directly disposed at the bottom surface.

The examiner's rejection of claims 1, 2, 11 and 12 as being obvious, under 35 USC 103, is respectfully traversed. The examiner rejects these claims as being unpatentable over Duclos '087 in view of WIPO 01/51826 (using US 6,749,045 to Rosenfeldt as an English equivalent). Claim 2 depends from claim 1, and claim 12 depends from claim 11.

Claims 1 and 11 specify that the rheological-fluid second orifice 26 have a second end 34 directly disposed at the bottom surface of the second side 22 of the hydraulic-mount partition plate assembly 12 and specify that the second membrane portion 38 fluidly-isolate, on the bottom surface of the second side 22 of the partition plate assembly 12, the second end 34 of the rheological-fluid second orifice 26 from the second terminus 30 of the non-rheological-fluid first orifice 24. The examiner alleges that this is shown in Duclos. Applicants respectfully disagree. The examiner in the Advisory Action has indicated that the second orifice of Duclos is shown in the area of 50b and implies that the second end of the second orifice of Duclos is indirectly disposed at the bottom surface of the second side of the partition plate assembly 12 via intervening elements. Indirectly disposing via intervening elements is not directly disposing as required by applicants' claims 1 and 11.

Claims 2 and 12 specify that the electric coil 16 is substantially coaxially aligned with the central longitudinal axis 40 of the hydraulic-mount partition plate assembly 12 (see applicants' figure 1). Duclos shows two separate rheological chambers 48a and 48b each having a separate and separately-electrically-controlled field producing valve 50a and 50b (see figure 2, column 5, lines 22-25, and column 6, lines 13-15). As shown most clearly in figure 3 of Duclos, such valves 50a and 50b are not coaxially aligned with the central longitudinal axis of the hydraulic-mount partition plate assembly 12. Replacing valve 50b (or 50a) with a magnetorheological valve having an electric coil and a magnetorheological-fluid orifice will not result in the electric coil being substantially coaxially aligned with the central longitudinal axis of the hydraulic-mount partition plate assembly as required by applicants' claims 2 and 12.

The examiner's rejection of claims 3, 4, 13 and 14 as being obvious, under 35 USC 103, is respectfully traversed. The examiner rejects these claims as being unpatentable over Duclos '087 in view of WIPO 01/51826 (using US 6,749,045 to Rosenfeldt as an English equivalent) and further in view of Takano ('031). Claims 3 and 4 each depend from claims 1 and 2 and claims 13 and 14 each depend from claims 11 and 12. Applicants' previous remarks concerning the patentability of claims 1, 2, 11 and 12 over Duclos and Rosenfeldt are herein incorporated by reference. Takano does show annular electric plates forming a substantially annular second orifice. However, placing an annular second orifice (and an associated electric coil to make the annular second orifice a magnetorheological-fluid orifice) in chamber 48b (or chamber 48a) in Duclos will not result in the annular second orifice being substantially coaxially aligned with the central longitudinal axis of the hydraulic-mount partition plate assembly 12 as required by applicants' claims 3 and 13.

The examiner's objection to claims 5-10 and 15-20 as being dependent upon a rejected base claim is respectfully traversed. Applicants rewrote claims 5 and 15 in independent form in the previously filed unentered Amendment After Final whose entry has been requested in the accompanying Request for RCE.

Serial No.: 10/825,731
Attorney Docket No.: DP-309395
Amendment

Inasmuch as each of the objections and rejections has been answered by the above remarks and amended claims, it is respectfully requested that the objections and rejections be withdrawn, and that this application be passed to issue.

Respectfully submitted,

Douglas E. Erickson

Douglas E. Erickson

Reg. No. 29,530

THOMPSON HINE LLP
2000 Courthouse Plaza NE
10 West Second Street
Dayton, Ohio 45402-1758
(937) 443-6814
434562